

Message Text

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ACTION IO-13

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IO FOR PALMER

SIL FOR DALE GOOD

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EO 11652: NA
TAGS: ILO, PLAB
SUBJ: RESOLUTIONS SUBMITTED TO 63RD SESSION OF INTERNATIONAL
LABOR CONFERENCE

REF: GENEVA 3824

FOLLOWING IS TEXT OF RES 10 (SEE PARA 2
REFTEL). BEGIN TEXT:

RESOLUTION CONCERNING TEMPORARY WORK AGENCIES

THE GENERAL CONFERENCE OF THE INTERNATIONAL LABOUR
ORGANIZATION,

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CONSIDERING "THAT LABOUR IS NOT A COMMODITY", THE FIRST OF
THE FUNDAMENTAL PRINCIPLES REAFFIRMED IN THE DECLARATION OF
PHILADELPHIA CONCERNING THE AIMS AND PURPOSE OF THE INTER-
NATIONAL LABOUR ORGANIZATION, WHICH FORMS PART OF THE
CONSTITUTION OF THE ILO,

CONSIDERING THAT THE PROVISION OF WORKERS THROUGH INTER-

MEDIARIES FOR PROFIT HAS BEEN A MATTER OF CONCERN TO THE
ILO SINCE ITS INCEPTION,

CONSIDERING THAT, ACCORDINGLY, INTERNATIONAL LABOUR STANDARDS
HAVE BEEN ADOPTED AIMED AT PROTECTING THE WORKERS INVOLVED
AGAINST ABUSE AND AT THE PROMOTION OF THE RECOGNITION OF THE
PRINCIPLE THAT THE PLACEMENT OF WORKERS SHOULD BE ESSENTIALLY
THE RESPONSIBILITY OF THE PUBLIC AUTHORITIES,

CONSIDERING THAT THE PROVISION OF MANPOWER THROUGH INTER-
MEDIARIES CONTINUES TO BE WIDESPREAD IN NUMEROUS COUNTRIES
AND THAT NEW FORMS THEREOF HAVE APPEARED IN THE SHAPE OF
TEMPORARY WORK AGENCIES,

CONSIDERING THAT TEMPORARY WORK AGENCIES ARE EXPANDING
CONSIDERABLY AND THAT THEIR ACTIVITIES AT PRESENT COVER
VIRTUALLY ALL MAIN ECONOMIC FIELDS IN THE INDUSTRIAL AS WELL
AS IN THE SERVICES SECTOR,

CONSIDERING THAT THE INCREASING EMPLOYMENT OF WORKERS THROUGH
INTERMEDIARIES, INCLUDING TEMPORARY WORK AGENCIES, FOR THE
PERFORMANCE OF WORK WHICH FORMS AN ESSENTIAL AND CONTINUING
PART OF THE NORMAL PRODUCTION PROCESS POSES SERIOUS QUESTIONS
OF PRINCIPLE AND COMPLEX PROBLEMS OF A SOCIAL, ECONOMIC AND
LEGAL NATURE FOR WORKERS, INCLUDING: THE DANGER OF INTER-
MEDIARIES' ACHIEVING MONOPOLY POSITIONS IN THE LABOUR MARKET;
THE UNCERTAINTIES SURROUNDING THE LEGAL STATUS OF TEMPORARY
WORK AGENCIES; THE DIFFICULTIES OF ENSURING EFFECTIVE CONTROL
OVER PROVISION OF LABOUR ACTIVITIES; THE GROWING PROPORTION
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OF WORKERS FALLING OUTSIDE THE SCOPE OF LABOUR AND SOCIAL
LEGISLATION AND COLLECTIVE AGREEMENTS INTENDED TO PROTECT
ALL WORKERS, AND THE EFFECT ON THE FULL EXERCISE OF TRADE
UNION RIGHTS BY THE WORKERS CONCERNED,

CONSIDERING THAT THE PROBLEM OF THE SUPPLY OF LABOUR THROUGH
INTERMEDIARIES WITH A VIEW TO PROFIT IS UNDENIABLY OF INTER-
NATIONAL SCOPE AND OF VITAL INTEREST TO WORKERS,

CONSIDERING THAT CERTAIN TEMPORARY WORK AGENCIES ARE ALSO
ACTIVE IN REGARD TO MIGRANT WORKERS AND THAT IN MANY INSTANCES
THIS POSES SERIOUS PROBLEMS;

1. INVITES THE GOVERNING BODY OF THE INTERNATIONAL LABOUR
OFFICE TO INSTRUCT THE DIRECTOR-GENERAL TO UNDERTAKE AS
A MATTER OF URGENCY A COMPREHENSIVE STUDY OF THE PROBLEMS
POSED BY THE CONTINUING AND INCREASING PRACTICE OF THE
SUPPLY OF WORKERS THROUGH INTERMEDIARIES FOR PROFIT, WITH
PARTICULAR REFERENCE TO TEMPORARY WORK AGENCIES, AND

TAKING INTO ACCOUNT, INTERALIA:

- (A) THE RELEVANCE OF EXISTING INTERNATIONAL LABOUR STANDARDS;
- (B) LABOUR MARKET QUESTIONS;
- (C) ECONOMIC ASPECTS;
- (D) CONDITIONS OF WORK AND STANDARDS OF WAGES;
- (E) SOCIAL SECURITY QUESTIONS;
- (F) PROTECTION OF TRADE UNION RIGHTS;
- (G) NEW ROLES AND FUNCTIONS OF PUBLIC EMPLOYMENT SERVICES;
- (H) PROBLEMS OF MIGRANT WORKERS.

2. INVITES THE GOVERNING BODY OF THE INTERNATIONAL LABOUR
OFFICE TO PLACE THE QUESTION OF TEMPORARY WORK AGENCIES
ON THE AGENDA OF AN EARLY SESSION OF THE INTERNATIONAL
LABOUR CONFERENCE WITH A VIEW TO THE ADOPTION OF
APPROPRIATE INTERNATIONAL LABOUR STANDARDS.

END TEXT. SORENSON

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